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HOUSE BILL 396

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Mimi Stewart

AN ACT

RELATING TO CRIMES; EXPANDING THE CRIME OF TICKET SCALPING TO  
INCLUDE ALL EVENTS OR PERFORMANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-46-1 NMSA 1978 (being Laws 1989,  
Chapter 142, Section 1) is amended to read:

"30-46-1. TICKET SCALPING. --

A. Ticket scalping consists of selling, offering  
for sale or attempting to sell ~~[any]~~ a ticket, privilege,  
license, admission or pass to ~~[any college athletic]~~ an event  
or performance at a price greater than the price charged at the  
place of admission or printed on the ticket.

B. The sale of each ticket, privilege, license,  
admission or pass in violation of this section shall constitute  
a separate offense.

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C. Nothing in this section shall prohibit charging a fee for services rendered in connection with the sale of a ticket, privilege, license, admission or pass to an event or performance if the fee is permitted pursuant to a contract between the ticket seller and the sponsor or promoter of the event.

D. Whoever commits ticket scalping is guilty of a misdemeanor and upon conviction shall be punished by a fine of up to five hundred dollars (\$500) or by imprisonment for a definite term of less than one year or both. "